

05-15-01

05/14/01  
Jc867-U.S. PTO

23932  
PATENT TRADEMARK OFFICE

Patent Application  
Docket No. 34645-00490USPT

1002 U.S. PTO  
09/854798  
05/14/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Arne Simonsson

Entitled: POWER CONTROL ALGORITHM FOR PACKET DATA BASED ON  
QUEUE/CHANNEL UTILIZATION

To the Assistant Commissioner  
for Patents  
Box Patent Application  
Washington, D.C. 20231

CERTIFICATE OF MAILING BY EXPRESS MAIL
"EXPRESS MAIL" Mailing Label No. EL749032586US
Date of Deposit: May 14, 2001
I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231
Type or Print Name Carol Mitchell
Signature <i>Carol Mitchell</i>

Dear Sir:

REQUEST FOR FILING A NATIONAL PATENT APPLICATION

Transmitted herewith for filing, please find the following:

- X   1. Specification, claims and abstract of the above-referenced patent application having   37   pages.
- X   2. Six (6) sheet(s) of drawing(s) (  X   formal /        informal) comprising Figures 1-6.
- X   3. Combined Declaration and Power of Attorneys (       signed   X   unsigned).
- 3A. No filing fee, Oath, or Declaration is enclosed pursuant to 37 C.F.R 1.53(d).
- 4. Information Disclosure Statement along with Form PTO-1449 and references.

\_\_\_\_ 5. This is a: \_\_\_\_ Continuation-In-Part; \_\_\_\_ Divisional; \_\_\_\_ Continuation;  
\_\_\_\_ substitute Application (MPEP 201.09) of Application Serial No. \_\_\_\_ filed \_\_\_\_;  
\_\_\_\_ reissue of U.S. Patent No. \_\_\_\_ filed on \_\_\_\_.

An extension to extend the life of the above prior Application to at least the date  
of filing hereof

(One box must be marked)

- (a) \_\_\_\_ is concurrently being filed in that prior Application,  
(b) \_\_\_\_ was previously filed in that prior Application,  
(c) \_\_\_\_ is not necessary for copendency.

\_\_\_\_ 6. Attached is an assignment to Telefonaktiebolaget L M Ericsson (publ). Please return  
the recorded assignment to the undersigned.

X 7. Priority is claimed under 35 U.S.C. § 119(e) based on filings in the U.S.

	<u>Application No.</u>	<u>Filing Date</u>
(1)	60/215,954	July 5, 2000
(2)	____	____
(3)	____	____

\_\_\_\_ (No.) Certified copy (copies) \_\_\_\_ are attached; or \_\_\_\_ were previously filed on  
\_\_\_\_.

\_\_\_\_ 8. Attached: \_\_\_\_ (No.) verified statement(s) establishing "small entity" status under 37  
CFR § 1.9 and 1.27.

X 9. Attached:

X Return Postcard  
\_\_\_\_ (Other)

\_\_\_\_ 10. Preliminary Amendment:

Prior to a first Office Action, kindly amend the Application as follows:

Patent Application  
Docket No. 34645-00490USPT

- X   11. The following Filing Fee calculation is based on the claims filed less any claims canceled by the Preliminary Amendment of Item 10.

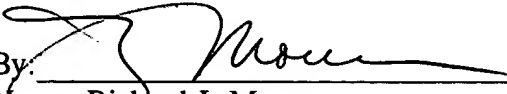
					SMALL ENTITY RATE		LARGE ENTITY RATE		
BASIC FEE					\$355	<u>OR</u>	\$710	=	\$ 710.00
	NUMBER FILED			NUMBER EXTRA					
TOTAL CLAIMS	<u>  43  </u>	-20	=	<u>  23  </u> (at least 0)	x 9	<u>OR</u>	x 18	=	+\$ 414.00
INDEP. CLAIMS	<u>  3  </u>	- 3	=	<u>  0  </u> (at least 0)	x 40	<u>OR</u>	x 80	=	+\$
If any <u>proper</u> multiple dependent claim (ignore improper) is present (Enter \$0.00 if this is a <u>reissue</u> application.)					+\$135	<u>OR</u>	+\$270	=	+\$
If assignment is x'd (item 6), add recording fee \$40.00									\$
Attached is a Rule 47 Petition (inventor refuses to sign or cannot be reached) \$130									+\$
TOTAL FILING FEE									=\$1124.00

- X   12. A check in the amount of \$1124.00 to cover the Filing Fee calculated in Item 11 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0447.
13. Please charge my Deposit Account No. 10-0447 in the amount of \$        to cover the Filing Fee calculated in Item 11. This sheet is attached in duplicate.
- X   14. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and may be required under 37 CFR 1.16-1.18 (missing or insufficiencies only) now or hereafter relative to this application and for the resulting Official Document under 37 CFR 1.20, and to have and cause any necessary petition for extension of time to be filed and any fees necessary to be paid for said extension of time OR credit any overpayment to our Deposit Account No. 10-0447, for which purpose a

duplicate copy of this sheet is attached. **The Commissioner is not authorized to charge the issue fee until/unless an issue fee transmittal form is filed.**

Respectfully submitted,

JENKENS & GILCHRIST, P.C.

By:   
Name: Richard J. Moura  
Reg. No. 34,883

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